## United States Government National Labor Relations Board OFFICE OF THE GENERAL COUNSEL

## Advice Memorandum

DATE: January 29, 2010

TO : James F. Small, Regional Director

Region 21

FROM : Barry J. Kearney, Associate General Counsel

Division of Advice

SUBJECT: SEIU-UHW-W

Case 21-CB-14827

This case was submitted for review in light of the current dispute between the Service Employees International Union-United Healthcare Workers West (SEIU-UHW-W) and the National Union of Healthcare Workers (NUHW).

The Charging Party alleges that SEIU-UHW-W violated the Act by improperly removing a Kaiser employee from an elected SEIU steward position. The former steward acknowledges that he forwarded an email to a co-steward that contained information disparaging to the SEIU. The Region has determined that it was lawful for the SEIU to select stewards based on their loyalty to the Union. The Region may dismiss the charge, absent withdrawal.

/s/ B.J.K.